

3  
4 AN ORDINANCE amending annexation  
5 Ordinance No. X-03-74 ("East End  
6 Industrial Area")

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
8 WAYNE, INDIANA:

9 SECTION 1. That the legal description of the territory to  
10 be annexed by Annexation Ordinance No. X-03-74 as found in  
11 SECTION 1 of said ordinance be amended to read as follows:

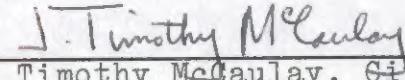
12 Part of Section 8, 9, 16, and 17, Township 30  
13 North, Range 13 East, Allen County, Indiana  
14 to wit: Beginning at the intersection of the  
15 centerline of Coliseum Boulevard South with  
16 the north right-of-way line of the Norfolk  
17 and Western Railway Company; thence Easterly  
18 along said north right-of-way line also being  
19 the corporate limits to the east line of  
20 Section 8; thence South along the east line  
21 of Section 8 to the north right-of-way line  
22 of Old Lincoln Highway also known as Old  
23 Maumee Road; thence East along said north  
24 right-of-way line to the north prolongation  
25 of the east right-of-way line of Meyer Road;  
26 thence South along said prolongation and the  
27 east right-of-way line of Meyer Road to the  
28 north line of the Northwest Quarter of  
29 Section 16, Township 30 North, Range 13 East;  
30 thence East along said north line a distance  
31 of 660 feet; thence South and parallel to the  
32 east line of Meyer Road to the north right-  
of-way line of Moeller Road; thence West  
along said north right-of-way line and its  
west prolongation thereof to the west right-  
of-way line of Meyer Road; thence Southwesterly  
along the westerly right-of-way line of Meyer  
Road to the southerly right-of-way line of the Penn  
Central Railroad; thence Northwesterly along said  
southerly right-of-way line to the west line of Northeast  
Quarter of Section 17, Township 30 North,  
Range 13 East, also being the Corporate  
limit; thence North along said west line to  
the north right-of-way line of the Fort Wayne  
Union Railway Company, thence North 74  
degrees 44 minutes 14 seconds West along the  
north right-of-way line of the Fort Wayne  
Union Railway Company a distance of 271.44  
feet; thence North 00 degrees, 53 minutes 37  
seconds West 1374 feet to the centerline of  
Pontiac Street; thence East along the said  
centerline to the centerline of Coliseum  
Boulevard, South; thence North along said  
centerline to the point of beginning  
containing 483.61 acres more or less.

1 SECTION 2. That in all other respects Annexation Ordinance  
2 No. X-03-74 shall remain the same.

3 SEE BELOW -- SECTION 3

  
Carol B. Long  
Councilmember

6 APPROVED AS TO FORM  
7 AND LEGALITY

8   
9 J. Timothy McCaulay, City Attorney

10 SECTION 3. This Ordinance shall be in full force and  
11 effect from and after its passage, approval by the Mayor and  
12 any required legal publication thereof.

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Read the first time in full and on motion by Long, seconded by Henry, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 19, the 11 day of November, 1989, at 10 o'clock A.M., E.S.T.

DATED: 11-28-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long, seconded by Tilman, and duly adopted, placed on its passage. PASSED 10 by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>			
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 12-12-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. X-06-89 on the 12th day of December, 1989.

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1989, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 18th day of December, 1989, at the hour of 8:00 o'clock A.M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR

BILL NO. X-89-11-37

REPORT OF THE COMMITTEE ON ANNEXATION

DAVID C. LONG, CHAIRMAN  
JANET G. BRADBURY, VICE CHAIRPERSON  
HENRY, BURNS, EDMONDS

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS  
REFERRED AN (ORDINANCE) (RESOLUTION) amending annexing  
Ordinance No. X-03-74 ("East End Industrial Area")

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

David C. Long

\_\_\_\_\_

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\_\_\_\_\_

Janet G. Bradbury

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Clintus R. Edwards

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Henry

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DATED: 12-12-85.

Sandra E. Kennedy  
City Clerk

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE ORDINANCE

X-88-11-37

DEPARTMENT REQUESTING ORDINANCE COMMUNITY AND ECONOMIC DEVELOPMENT

SYNOPSIS OF ORDINANCE ORDINANCE AMMENDING ORDINANCE NO. X-03-74 TO

BE IN COMPLIANCE WITH THE SETTLEMENT AGREEMENT BETWEEN FORT WAYNE

AND NEW HAVEN REGARDING 1951 EAST END ANNEXATION DISPUTE

EFFECT OF PASSAGE CITY WILL BE IN COMPLIANCE WITH THE SETTLEMENT AGREEMENT

EFFECT OF NON-PASSAGE CITY WTLL NOT BE IN COMPLIANCE WITH THE

SETTLEMENT AGREEMENT

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

December 19, 1989

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of December 22 and December 29, 1989, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. X-89-11-36  
Annexation Ordinance No. X-05-89  
East End Annexation

Bill No. X-89-11-37  
Annexation Ordinance No. X-06-89  
East End Annexation

Bill No. G-89-10-28 (as amended)  
General Ordinance No. G-27-89  
Amending Chapter 14.5 of the City Code

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 3

LEGAL NOTICE

Notice is hereby given that on the 12th day of December, 1989, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-89-11-37 -- Annexation Ordinance No. X-06-89 to-wit:

1 BILL NO. X-89-11-37

2 ANNEXATION ORDINANCE NO. X-06-89.

3  
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line of Meyer Road to the southerly right-of-  
way line of the Penn Central Railroad; thence  
Northwesterly along said southerly right-of-  
way line to the west line of Northeast  
Quarter of Section 17, Township 30 North,  
Range 13 East, also being the Corporate  
limit; thence North along said west line to  
the north right-of-way line of the Fort Wayne  
Union Railway Company, thence North 74  
degrees 44 minutes 14 seconds West along the  
north right-of-way line of the Fort Wayne  
Union Railway Company a distance of 271.44  
feet; thence North 00 degrees, 53 minutes 37  
seconds West 1374 feet to the centerline of  
Pontiac Street; thence East along the said

SECTION 2. That in all other respects Annexation Ordinance No. X-03-74 shall remain the same.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and any required legal publication thereof.

David C. Long  
Councilmember

Read the third time in full and on motion by Long, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine  
Bradbury, Burns, Edmonds, GiaQuinta, Henry,  
Long, Redd, Schmidt, Talarico

NAYS: None

ABSTAINED: None

ABSENT: None

DATED: 12-12-89

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-06-89, on the 12th day of December, 1989.

ATTEST:

(SEAL)

Sandra E. Kennedy  
City Clerk

Charles B. Redd  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1989, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 18th day of December, 1989, at the hour of 8:00 o'clock A.M., E.S.T.

Paul Helmke  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-06-89, passed by the Common Council on the 12th day of December, 1989, and that said Ordinance was duly signed and approved by the Mayor on the 18th day of December, 1989, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 18th day of December, 1989.

SEAL

*Sandra E. Kennedy*  
SANDRA E. KENNEDY, CITY CLERK

To: The News-Sentinel Dr.  
P.O. Box 100  
Fort Wayne, IN

**PUBLISHER'S CLAIM**

### LINE COUNT

**Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)**  
-- number of equivalent lines

Head -- number of lines	1
Body -- number of lines	100
Tail -- number of lines	2
Total number of lines in notice	103

## COMPUTATION OF CHARGES

103 lines, 1 columns wide equals 103 equivalent lines  
at .495 cents per line \$ 50.99

**Additional charge for notices containing rule or tabular work  
(50 percent of above amount)** \_\_\_\_\_

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 2.00

**TOTAL AMOUNT OF CLAIM** \$ 52.99

#### DATA FOR COMPUTING COST

Width of single column 12.5 ems  
Number of insertions 2  
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: December 29, 19 89 Title: \_\_\_\_\_ Clerk \_\_\_\_\_

**PUBLISHER'S AFFIDAVIT**

State of Indiana )

887

### **Allen County )**

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s), the dates of publication being as follows:

12/22, 29/89

Subscribed and sworn to before me this 29th day of December, 1889.

Notary Public Whitley County, IN

Montgomery, March 3, 1990

Fort Wayne Common Council

To: The Journal-Gazette

Dr.

(Governmental Unit)

P.O. Box 100

Allen County, Indiana

Fort Wayne, IN

## PUBLISHER'S CLAIM

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Date: December 29, 1989

Title: Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s), the dates of publication being as follows:

12/22, 29/89

Subscribed and sworn to before me this 29th day of December, 19 89.

Shelley R. Larue  
 Notary Public Whitley County, IN  
 SHELLEY R. LARUE

Commission expires: March 3, 1990

Fort Wayne Common Council

(Governmental Unit)

Allen

County, Indiana

To: The News-Sentinel Dr.

P.O. Box 100

Fort Wayne, IN

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Title:

Clerk

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12/22, 29/89

*Nicole Allred*

Subscribed and sworn to before me this 29th day of December, 1989.

*Shelley R. Larue*  
Notary Public Whitley County, IN  
SHELLEY R. LARUE

My commission expires: March 3, 1990

TEST:  
 Sandra E. Kennedy  
 City Clerk  
 Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1989, at the hour of 11:30 o'clock A.M., E.S.T.  
 Sandra E. Kennedy  
 City Clerk  
 Approved and signed by me this 18th day of December, 1989, at the hour of 8:00 o'clock A.M., E.S.T.  
 Paul Helmke  
 Mayor  
 the Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-06-89, issued by the Common Council on the 12th day of December, 1989, and that said Ordinance was duly signed and approved by the Mayor on the 18th day of December, 1989, and now remains on file and on record in my office.  
 WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 18th day of December, 1989.  
 SANDRA E. KENNEDY, CITY CLERK  
 2-22-29

Fort Wayne Common Council

(Governmental Unit)

Allen County, Indiana

To: The Journal-Gazette

Dr.

P.O. Box 100  
Fort Wayne, IN

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*Shelley R. Larue*  
Notary Public Whitley County, IN

Commission expires: March 3, 1990 SHELLEY R. LARUE

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WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 18th day of December, 1989.

SANDRA E. KENNEDY, CITY CLERK